

Arizona State Board for Charter Schools

January 10, 2005

Executive Tower

1700 West Washington Street

Phoenix, Arizona 85007

Basement Room 56

MINUTES

Members Present-

Kurt Davis – President

Kimberly Mosher– Vice President

Mary Gifford – Superintendent’s Designee

Lynne Adams – Public Member.

David Hume-Business Member

Cassandra Larsen - Public Member

Jose Gabriel Loyola – Public Member

Members Absent

Mary Lynn Kelly -Business Member

Onnie Shekerjian- Public Member

Senator Linda Aguirre - Advisory

Senator John Huppenthal - Advisory

Representative Ted Carpenter - Advisory

Meeting began at 9:07 AM

Agenda Item A: Pledge of Allegiance

Agenda Item B: Moment of Silence

Agenda Item C: Roll Call: Traci Sawyer-Sinkbeil called the roll and confirmed a quorum. Lynne Adams arrived at 10:40am.

Agenda Item D: Election of Officers

MOTION

Motion by David Hume to nominate Kurt Davis as President.
Motion seconded by Kimberly Mosher.

MOTION AMENDED

Motion by David Hume to nominate Kurt Davis as President and Kimberly Contreras Mosher as Vice President. Motion seconded by Cassandra Larsen.

Motion passes unanimously

Agenda Item E: Call to the Public

William Coats of the Leona Group expressed thanks to Cassandra Larsen for her hard work on behalf of charter schools in the State of Arizona.

Rebecca Haman, auditor for Aztlan Academy & Cesar Chavex Middle School gave the Board a status update on the non-submittal of the audits for the schools. She also asked the Board to not withhold 10% of their state equalization.

Agenda Item F: Consent Agenda

- 1. Final read of a letter to be sent to the Joint Legislative Budget Committee, the Office of Strategic Planning and Budgeting, and Representative Yarbrough concerning alternative authorizers.**
- 2. Final read of the Board's 2005 legislative agenda.**
- 3. Final read of the clarifying changes and suggested revisions to the charter contract.**
- 4. Flagstaff Arts & Leadership Academy**—Request for exception from USFRCS.
- 5. Flagstaff Arts & Leadership Academy**—Request for exception from Procurement.
- 6. Masada Charter School**—Changes in methods used to measure pupil progress.
- 7. The PEAK School Inc.**—Request to increase grade levels served from K-6 to K-8 beginning in school year 2005-2006.
- 8. Southern Arizona Community Academy, Inc.**—Changes in number of days in session.
- 9. Tolchii Kooh, Inc.**—Request for exception from USFRCS and Procurement.

Order of agenda was changed to accommodate the schedules of Board members.

Agenda Item K: Action Item

1. The Board will receive information to determine whether evidence exists that the following schools are in breach of one or more provisions of their charter contract, federal, state, or local laws regarding their failure to meet the timeframes established in one or more of the following areas: failure to submit the annual financial audit in accordance with A.R.S. 15-183.E.6, failure to submit the Declaration of Curricular and Instructional Alignment, failure to submit the 45 day items as part of the specific regulations for Part B, Individuals with Disabilities Education Act and A.R.S. 15-183.E.7, failure to submit grants management reports for receipt of federal and/or state funds, failure to submit employer and employee contributions to Arizona State Retirement System (ASRS) and Long-term Disability Program in accordance with A.R.S. 15-187(C) and 38-727 et seq.

1. 4-Winds Academy, Inc. (Audit & Declaration)
2. Academy of Arizona (Audit questionnaire & Declaration)
3. Academy of Hope (Audit & Declaration-Add to the basis of the existing 10% withholding)
4. Accelerated Learning Charter School (Declaration)
5. Accelerated Learning Laboratory, Inc. (Audit)
6. Aprender Tucson (Audit, Declaration, & ESS 45-day items)

MOTION

Motion by Mary Gifford to accept the Consent Agenda. Motion seconded by Cassandra Larsen.

Motion passes unanimously

MOTION

Motion by Kimberly Mosher to withhold 10% of the monthly state equalization and require each school to submit a corrective action plan outlining the steps that each school has put into place to ensure the timely submittal of the appropriate report in the future. The corrective action plan shall be submitted on or before January 28, 2005 for the following schools:

- **Failure to submit fiscal year 2004 audit** – 4-Winds Academy, Inc.; Academy of Arizona; Academy of Hope; Aprender Tucson; Arizona Montessori Charter School; Aztlan Academy, Inc.; Cambridge Academy East, Inc.; Cesar Chavez Middle School, Inc.; Crown Charter School, Inc.; Desert Technology Schools; Dove Learning, Inc.; Ecotech Academy of Science & Agriculture; Gan Yeladeem: The Looking Glass School; Humanistic Education Authentic Rigorous Transcendent; Kachina Country Day School, Inc.; Mingus Mountain Estate Residential Center; Progressive Junior High School, Inc.; Progressive Leadership Academy; and Renaissance Educational Consortium, Inc.
- **Failure to submit complete fiscal year 2004 audit** – Academy of Arizona, Inc.
- **Failure to submit Declaration of Curricular and Instructional Alignment** – 4-Winds Academy, Inc.; Academy of Arizona; Crown Charter School, Inc.; Kestrel Schools, Inc.; Mingus Mountain Estate

7. Arizona Montessori charter School (Audit & Declaration)
8. Arizona Montessori Charter School-Anthem (Declaration)
9. Ascending Roots Scholastic & Athletic Premise (Audit)
10. Aztlan Academy, Inc. (Audit & 2004 IDEA Completion Report & 2004 Consolidated Report)
11. Bradley Academy of Excellence, Inc. (Audit)
12. Cambridge Academy East, Inc. (Audit-Add to the basis of the existing 10% withholding)
13. Carden Elementary School (Declaration)
14. Cesar Chavez Middle School, Inc. (Audit & 2004 IDEA Completion Report & 2004 Consolidated Report)
15. Choice Education and Development Corp. (audit & ASRS-Add to the basis of existing 10% withholding)
16. Cochise Community Development Corp. (Audit)
17. Crown Charter School, Inc. (Audit & Declaration)
18. Desert Technology Schools, Inc. (Audit)
19. Dove Learning, Inc. (Audit)
20. Eagles Aerie Schools (Audit)
21. Ecotech Academy of Science & Agriculture (Audit)
22. EDGE School, Inc. The (Audit & Declaration)
23. E-Institute Charter School (Declaration)
24. Excalibur Charter School, Inc. (Audit & ASRS)
25. Founding Fathers Academics, Inc. (Declaration)
26. Gan Yeladeem: The Looking Glass School (Audit)
27. Great Expectation Academy (Declaration)
28. Harvest Power Community Development (Audit)
29. Humanistic Education Authentic Rigorous (Audit & ASRS)
30. International Studies Academy (Declaration)
31. Kachina Country Day School, Inc. (Audit)
32. Kestrel School, Inc. (Declaration)
33. Keystone Montessori Charter School, Inc. (Audit)
34. Life School College Preparatory, Inc. (Audit)
35. Mingus Mountain Estate Residential Center (Audit & Declaration)
36. Pointe Educational Services (Audit)
37. Progressive Junior High School, Inc. (Audit)
38. Progressive Leadership Academy (Audit)
39. Renaissance Educational Consortium, Inc. (Audit, Declaration, & ASRS)
40. Santa Cruz Valley Opportunities in Education (Declaration)
41. Self Development Charter School (Declaration)

Residential Center; Santa Cruz Valley Opportunities in Education and Tucson Preparatory School.

- **Failure to comply with special education requirements** – Aprender Tucson and Cesar Chavez Middle School, Inc.
- **Failure to comply with grant requirements** – Aztlan Academy, Inc. and Cesar Chavez Middle School, Inc.
- **Failure to comply with Arizona State Retirement System requirements** – Humanistic Education Authentic Rigorous Transcendent

Motion seconded by Mary Gifford.

Motion passes unanimously

42. Sierra Summit Academy (Audit & 2004 IDEA Completion Report)
43. Tucson Preparatory School (Declaration)

According to the Board's Accountability Policy Matrix staff has reviewed the compliance of all schools that failed to timely submit their annual financial audit and/or their annual academic declarations. It is noted beside each school listed under action item K what items have not been submitted and any other areas of non-compliance. Kristen briefly summarized each of these areas with the Board. Specifically, Kristen reminded the Board of the audit guidelines that were adopted in 2003 that included a November 15th audit due date for all schools that were not subject to a single audit; the Academic Declarations of Curricular and Instructional Alignment were due to the ADE by December 1, 2004; and in all cases the areas of non-compliance are related to submission timeframes.

Agenda Item G: Superintendent's Report

Legislative Committee Report—Update and review of committee actions—Mary Gifford

No report.

No action taken

Agenda Item H: Executive Director's Report

1. Status of schools with previous and/or on-going board actions: Academy of Hope, Arizona Montessori, Casa Blanca Middle School, Griffin Foundation, Horizon's Challenge, Kachina Country Day, Omega Alpha Academy, Rolling Hills, Scottsdale Horizon, Shonto Governing Board (K-8), Shonto Governing Board (9-12), Tertulia, Tri-City Vo/Tech, and Wide Ruins Community School.

No action taken

Kristen Jordison provided the Board with an updated status report that included the status of each outstanding audit and revocation proceedings.

2. Dove Learning, Inc.—Status update on the review and investigation requested by the Board President.

MOTION

Kristen provided background history and the status of the Dove Learning, Inc. Dove Learning was granted a charter and began operation in the fall of 2002, serving approximately 95 students in grades K-8. For school year 2003-2004 Dove increased its count to 235 serving grades K-9. For school year 2004-2005 Dove grew to an approximately 411 students and added a second site.

Motion by Mary Gifford to authorize staff to continue its' financial program and compliance audit of **Dove Learning, Inc.** Motion seconded by Jose Gabriel Loyola.

Motion passes unanimously

During the spring 2004 administration of the AIMS test, staff from the Arizona Department of Education and the Board conducted a site visit to investigate a reported concern about potential improper test administration.

While conducting this visit, staff became aware of other compliance concerns, specifically in relation to a 2nd site that was not disclosed to the Board and fingerprinting of employees. In an effort to ensure that the school operated in accordance with its charter, staff outlined the issues of concern and instructed the school to submit a corrective action plan to address these areas. The school responded and the staff reviewed the plan. During this same time period the school submitted an amendment request to increase their grade levels from K-9 to K-12. Staff forwarded this request to the Board on July 12, 2004 when the Board denied the request to add grade levels and discussed their desire to have the school operate in accordance with the requirements of proper test administration during the 2004-2005 school year prior to the re-consideration of the request.

On July 29, 2004 the office received a request for an increase in their enrollment cap from 300 to 550. Because of the tremendous growth in the student count from the prior year and the fact that the staff had not yet received a site notification increasing the school's ability to grow, staff did not process this increase until documentation of a secured facility was received as well as verification of the student count.

On September 3, 2004 staff received a request to add a second site located at Palm and Central.

In late September the office began receiving complaints from vendors that Dove Academy had not paid timely. Pursuant to our procedures these complaints were forwarded to the school for a written response. Complaints from various vendors still continue to be received.

On October 5, 2004 staff conducted a site visit to confirm the student count and inquire about the vendor issues. During this scheduled visit we were guided by Ms. Judy Feacher and counted a total of 399 students.

On December 3, 2004 staff visited the school and interviewed various staff members in regard to processes and procedures related to the maintenance of student attendance data, governing board membership, and financial accounting. Additional documentation was requested from the school.

The Board was presented with a copy of the cover letter that Dove Academy included with the requested documents. Kristen presented that she believed there were mis-statements in the letter in regard to actual events as well as to the role of the board in response to this matter. Kristen further stated that the staff do not wish any harm on this or any other school and simply want to ensure that each charter is successful both

academically and financially.

Shaloma Gray & Judy Gaunt answered questions from the Board. Dr. Gray stated the letter that was written to the Board was a request for help and was not meant to be condescending. Dr. Gray indicated that she felt the role of the Board was to support charter schools and the letter was a request for help. The school's priority is to become a debt free school.

3. 2005 Board Meeting Calendar and Events

Kristen provided the Board a schedule of meeting dates for the year 2005, which included the location of 3 meetings out of the Phoenix metropolitan area. Kristen also reminded the Board of the Budget hearing on January 18th.

No action taken

4. Testing Update

Lee McIlroy, Research Analyst informed the Board of the upcoming AIMS testing dates and other testing related information.

No action taken

5. Congratulations on submittal of all school report cards

Lee McIlroy extended congratulations to all of the charter school for their timely submission of the school report cards.

No action taken

Agenda Item I: Subcommittee Reports and Action Items:

1. Legislative Sub-Committee Report—Update and review of committee actions—Mary Gifford

Ms. Gifford reported that the sub-committee discussed various bills that the Board will be considering. Ms. Gifford also stated that the agency's budget request for fiscal years 2006 and 2007 will be heard by the House and Senate Appropriations Committee on January 18th.

Agenda Item J: First Read and Review Items -- Discussion and possible action:

1. Discussion and possible action on the New Charter School Application Forms, Instructions, and Process for 2006-2007.

Kristen Jordison informed the Board that the application packet was included in the Board's materials with clear markings of changes from the prior year. Kristen indicated that no feedback has been received from outside constituents in regard to this application draft.

DeAnna Rowe answered questions from the Board on the minor changes made to the 2006-2007 application package.

The Board directed the staff to place the application package for final read on the February board meeting agenda.

2. First read and discussion of any additional legislative items for 2005 legislative session.

No action taken

No board discussion

Board break from 10:10am to 10:22am

Agenda Item L: Good Cause Extension—Discussion and possible action on the following requests for a good cause extension of the execution of the charter contract and request for an extension of the opening of the charter school site.

1. CA Rosefield Charter School
2. Esperanza
3. J.H.J., Inc.
4. West Valley Arts & Technology

MOTION

Motion by Cassandra Larsen to approve the Good Cause Extension for CA Rosefield Charter School, Esperanza, J.H.J., Inc., & West Valley Arts & Technology. Motion seconded by Kimberly Mosher.

**Motion passes
(Gifford absent for vote)**

Lynne Adams arrives at 10:40am

Agenda Item M-- Discussion and possible action to consider dismissing the Notice of Intent to Revoke the Charter and vacate the hearing in regard to the pending Notice of Intent to Revoke the Charter and the School's actions to correct the problems associated with the reason(s) for issuance of the Notice and the proposed revocation of the charter.

1. Casa Blanca Middle School
2. Tertulia: A Learning Community

Kristen distributed a background information sheet on the pending revocation hearings for Casa Blanca and Tertulia. In both cases, the schools had submitted their outstanding audits. Kristen made the recommendation to the Board to dismiss the Notice of Intent to Revoke the charter for both schools pending the receipt of a written assurance or corrective action plan describing the policies and procedures the schools had put into place to ensure timely submission of the audit in the future.

MOTION

Motion by Mary Gifford to dismiss the Notice of Intent to Revoke and vacate the hearing for **Casa Blanca Middle School**. The school is required to submit a corrective action plan by January 28, 2005 as a requirement for the dismissal. Motion seconded by David Hume.

**Motion passes
(1 nay-Mosher)**

MOTION

Motion by Mary Gifford to dismiss the Notice of Intent to Revoke and vacate the hearing for **Tertulia: A Learning Community**. The school is required to submit a corrective action plan by January 28, 2005 as a requirement for the dismissal. Motion seconded by Cassandra Larsen.

**Motion passes
(1 nay-Mosher)**

**Agenda Item N--New Charter School Applications:
Discussion and possible action on the following
applications and requests for a charter**

Deanna Rowe, Director of Academic Affairs gave an overview of the 2005-2006 application process and statistics thus far. DeAnna thanked the applicants for their work throughout the application process.

- 26 of the 2005-2006 applications had been received
- 9 failed to meet administrative completeness
- 17 moved forward
- 3 withdrew their application
- 3 approved at November meeting
- 11 presented at today's meeting

1. A Child's View School, Inc.-- Morris Shaw Jr. & Teresa Shaw

Teresa Shaw & Morris Shaw gave the Board a brief overview of their application and answered questions from the Board.

MOTION

Motion made by Mary Gifford to accept the application and grant the charter of **A Child's View School, Inc.** Motion seconded by Cassandra Larsen.

Motion passes unanimously

2. American Adventure Academy—Michael Farley

Michael Farley gave the Board a brief overview of his application and answered questions from the Board.

MOTION

Motion made by Cassandra Larsen to accept the application and grant the charter of **American Adventure Academy**. Motion seconded by Mary Gifford.

Motion passes unanimously

3. BR Academy, LLC—Julie Dwyer

Julie Dwyer, Sheree Mattson, & Steve Kim gave the Board a brief overview of their application and answered questions from the Board.

MOTION

Motion made by Lynne Adams to reject the application and deny the charter of **BR Academy, LLC**, because the application fails to adequately specify the organizational structure of the charter applicant and the charter schools, fails to adequately specify the relationship and duties of the governing body and charter school operators and principals, and the applicant fails to obtain background checks on the current governing board for the charter applicant. Motion seconded by Mary Gifford.

**Motion passes
(2-nays-Loyola, Davis)**

4. Concordia Charter School, Inc.—Dale A. Kvitem-Barr

Dale Kvitem-Barr and Danene Truett gave the Board a brief overview of their application and answered questions from the Board.

MOTION

Motion made by Mary Gifford to accept the application and grant the charter of **Concordia Charter School, Inc.** Motion seconded by Kurt Davis.

Motion passes unanimously

5. Franklin High School—Lynette Stansbury

Lynette Stansbury and Reed McCormick gave the Board a brief overview of the application and answered questions from the Board.

A full transcript of the testimony of Franklin High School is available upon request.

MOTION

Motion made by Lynne Adams to accept the application and grant the charter of **Franklin High School**, to include the oral statements regarding the charter applicants reasons for separate charter application. Motion seconded by Mary Gifford.

**Motion passes
(2 nays-Loyola and Mosher)**

**Kurt Davis leaves the meeting at 12:00pm
Board break from 12:05pm to 12:30pm**

6. Ha: San Educational Services—Delbert Ortiz & Alison Reeves

Alison Reeves, Naomi Mudge, Sylvia Hendricks gave the Board a brief overview of their application and answered questions from the Board.

MOTION

Motion made by Cassandra Larsen to accept the application and grant the charter of **Ha: San Educational Services.** Motion seconded by Mary Gifford.

Motion passes unanimously

7. Legacy Education Group—Kathy Tolman

Kathy Tolman gave the Board a brief overview of her application and answered questions from the Board.

MOTION

Motion made by Lynne Adams to accept the application and grant the charter of **Legacy Education Group.** Motion seconded by Mary Gifford.

Motion passes unanimously

8. SEVCS Corp.—Diane Conniff

Diane Conniff (telephonically) & Michael Berman gave the Board a brief overview of their application and answered questions from the Board.

MOTION

Motion made by Cassandra Larsen to accept the application and grant the charter of **SEVCS Corp.** Motion seconded by Mary Gifford.

Motion passes unanimously

9. Sproul and Associates, Inc. dba Mayflower—Nathan Sproul

Nathan Sproul gave the Board a brief overview of his application and answered questions from the Board.

MOTION

Motion made by Cassandra Larsen to accept the application and grant the charter of **Sproul and Associates, Inc. dba Mayflower.** Motion seconded by Mary Gifford.

**Motion passes
(1 nay-Mosher)**

10. Sproul and Associates, Inc. dba Pilgrim—Nathan Sproul

Nathan Sproul gave the Board a brief overview of his application and answered questions from the Board.

MOTION

Motion made by Cassandra Larsen to accept the application and grant the charter of **Sproul and Associates, Inc. dba Pilgrim**. Motion seconded by Lynne Adams .

**Motion passes
(1nay-Mosher)
(1 abstain-Loyola)**

11.Verrado Charter School, Inc.—Deborah Boehm

Deborah Boehm & Lenny Letcher gave the Board a brief overview of their application and answered questions from the Board.

MOTION

Motion made by Kimberly Mosher to accept the application and grant the charter to Verrado Charter School, Inc. Motion seconded by Jose Gabriel Loyola.

**Motion fails
(5 Nays, Adams, Hume, Gifford, Larsen, & Mosher)
(1 Ayes, Loyola)**

Motion made by Lynne Adams to reject the application and deny the charter of **Verrado Charter School**, Inc. for failure to meet the necessary requirements of a comprehensive program of instruction, failure to meet program of instruction for special education, failure to have a business plan, failure to meet requirements in the operating budget, and failure to meet or exceed scorable areas of the rubric. Motion seconded by David Hume.

Motion passes unanimously

Agenda Item O--Board Comments

Plaque presentation to Cassandra Larsen for her dedication to charters and to the Board. She will be missed.

Agenda Item P--Approval of Minutes

October 15, 2004 Executive Session
October 15, 2004
November 15, 2004

MOTION

Motion by to approve the minutes of October 15, 2004, October 15, 2004 Executive Session, & November 15, 2004. Motion seconded by Kimberly Mosher.

Motion passes unanimously

Agenda Item Q--Adjournment

MOTION

Motion by Kimberly Mosher to adjourn the meeting. Motion seconded by Cassandra Larsen.

Motion passes unanimously

The meeting adjourned at approximately 12:55pm.

Signature

Date